

FORMS

FORM A

APPLICATION FOR ENDORSEMENT
OF PLAN BELIEVED NOT TO REQUIRE APPROVAL

File one completed form together with a reproducible and four contact prints of the plan and a non-refundable fee (Fee Schedule Approval Not Required) \$100.00 per application; \$100.00 per lot, parcel created or change of lot line payable to the Town of Topsfield, with the Planning Board and one copy of the completed for with the Town Clerk in accordance with the requirements of Section 3.1.

Topsfield, MA _____, 20____

To: The Planning Board
Town of Topsfield, Massachusetts

The undersigned, believing that the accompanying plan of his property in the Town of Topsfield, Massachusetts does not constitute a subdivision within the meaning of the Subdivision Control Law, herewith submits said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

1. Name of Applicant: _____
Complete Address: _____
Phone Number: _____ Email: _____
2. Name of Engineer: _____
Complete Address: _____
3. Deed of property dated _____ and is recorded
in Essex South District Registry of Deeds in Book _____, Page _____.
4. Location and Description of Property:

Planning Board



Topsfield, MA

Signature of Owner: _____

Complete Address: _____

Date of Submission _____
Town Clerk _____

(Signature)

FORM B

APPLICATION FOR APPROVAL

PRELIMINARY PLAN ☐

Check One

DEFINITIVE PLAN ☐

File one completed form together with six contact prints of the plan, a sketch plan, and a nonrefundable fee* payable to the Town of Topsfield, with the Planning Board and a copy of the completed form with the Town Clerk in accordance with the requirements of Section 4.2. When it is a Preliminary Plan submittal, one contact print of the plan shall be submitted to the Board of Health. For a Definitive Plan submittal, the reproducible original of the plan shall also be submitted to the Planning Board together with appropriate fees* payable to the Town of Topsfield, for each lot or dwelling unit, whichever is greater, plus two contact prints to the Board of Health. (See Section 4.3).

*Fee schedule for preliminary and definitive plan submissions are detailed on the last page of this form.

Topsfield, MA _____

To: The Topsfield Planning Board
Town Hall
Topsfield, MA 01983

The undersigned hereby applies for Preliminary/Definitive Plan approval and herewith submits six (6) copies of the accompanying Preliminary/Definitive Plan of property located in the Town of Topsfield, Massachusetts for approval as a subdivision as allowed under the Subdivision Control Law and the Rules and Regulations of the Planning Board Governing the Subdivision of Land in the Town of Topsfield, Massachusetts. The applicant certifies to the truth of the following facts as part of his application.

1. Name of Applicant _____
Complete Address _____
Phone Number _____ Email _____
2. Name of Engineer or Surveyor _____
Complete Address _____
3. Deed to property is dated _____ and is recorded in Essex South District Registry, Book _____
Page _____.
4. The general location and description of Property is:
5. Attach hereto a copy of the deed.
6. The complete title of the subdivision plan with date is as follows: _____

(continued on next page)

7. The exact names in which title to the property is held and the present addresses of persons named are:
(Indicate whether persons are married or single. If married, give spouse's name.)
- _____
- _____
- _____
8. A complete list of persons with their addresses known to have mortgages, attachments, encumbrances, or liens of any kind upon the property is as follows:
- _____
- _____
9. If the property is in the name of a trust, the complete and correct name of the trust, date of the trust declaration, book and page where it is recorded and names and addresses of all trustees are as follows:
- _____
- _____
10. If the property is in the name of a corporation, the complete and correct name of the corporation, the name and corporate capacity of all officers authorized to sign deeds and other instruments pertaining to real estate are as follows:
- _____
- _____
11. The date when the Preliminary/Definitive Plan referred to herein was submitted to Topsfield Board of Health is as follows: _____
12. The date when applicant gave written notice to the Topsfield Town Clerk of said plan submission to Board of Health and to Planning Board is as follows:
- _____
13. A copy of said notice referred to in No. 12 is attached hereto.
14. It is the intent of the owners of the proposed subdivision for which definitive approval is requested to exclude a right to fee in all access roads shown on said plan and in all drainage ways and/or other easements crossing the land in the conveyance of any and all lots in the subdivision.
15. The full names of all abutters on the subdivision are shown on the subdivision plan submitted herewith, as they appear upon the most recent tax assessors list.

Signature of Applicant	_____
Complete Address	_____

Telephone Number	_____
Date of Submission	_____
Town Clerk	_____
	Signature

Note: with submission of Definitive Plan, complete Form C and attach

FEES

PRELIMINARY PLAN:

\$500/application plus \$100/lot

DEFINITIVE PLAN:

Definitive Plan *with* preliminary plan on file: \$2,000/application plus \$500/lot and 1,000/lot in excess of the number of lots depicted in the preliminary plan.

Definitive Plan *without* preliminary plan on file: \$2,000 application plus \$1,000/lot

Changes to Definitive Plan: \$3,000/lot for major changes defined as an increase in the number of lots and/or change in the road length by more than 10%.

FORM C

CERTIFIED LIST OF ABUTTERS

(Fill in this space with rough sketch of land described in this petition, and write against boundary lines and name and mailing address of adjoining owners in their relative positions. Include owners of land separated from the subdivision only by a street. Attach copy of Town Assessor's Map of site at a scale of one inch equals two hundred feet (1" = 200').

The Topsfield Planning Board
Town Hall
Topsfield, Massachusetts

Members of the Planning Board:

This is to certify that at the time of the last assessment for taxation made by the Town of Topsfield, the names and address of the parties assessed as adjoining owners to the parcel of land shown above were as above written, except as follows:

Date of Verification _____

Assessor _____

Signature

FORM D

DEPARTMENTAL REVIEW OF SUBDIVISION PLAN

To: Board of Health
Board of Selectmen
Fire Department
Police Department

Highway Superintendent
Board of Water Commissioners
Conservation Commission
Soil Removal Board
Tree Warden

From: Applicant

Subject: _____
Description of plan, date, etc.

1. The subject named plan herewith attached has been submitted to the Planning Board for approval as a subdivision.

For the guidance of the Planning Board, will you please note any appropriate comment or approval on the blank below and/or on the plan itself and return to the Planning Board as soon as possible.

2. Under the requirements of Section 81-U of Chapter 41 of the General Laws, the Board of Health must notify the Planning Board if the Board of Health is in doubt as to whether any of the land in the subdivision can be used as building sites without injury to the public health. If a municipal system will serve the site, the Board of Health must report to the Planning Board within forty-five (45) days after this notice.

To: The Topsfield Planning Board
Town Hall
Topsfield, Massachusetts

Date: _____

Subject: _____
Description of plan, date, etc.

1. The undersigned APPROVES/DISAPPROVES (cross out one) of the subject named subdivision plan insofar as its requirements are affected.
2. The following comments are offered for the guidance of the Planning Board:
3. Bond requirements:* \$ _____

Department _____
Signed _____

*For that portion of work reviewed.
cc: Planning Board

FORM E

CERTIFICATE OF PLANNING BOARD ACTION

Topsfield, MA _____

To: Town Clerk
Town Hall
Topsfield, Massachusetts

The Planning Board on _____ by _____ vote
Date

ENDORSED: "Planning Board approval under Subdivision Control Law not required."

DISAPPROVED

APPROVED with bonds or surety/with conditions (cross out one for action on a
Definitive Plan)

MODIFIED AND APPROVED

with bonds or surety/with conditions (cross out one for action on a
Definitive Plan)

with the following qualifications and modifications:

The applicant or his/its executors, administrators, devisees, heirs, successors, and assigns shall fully and satisfactorily observe and perform in the manner and in the time therein specified, all of the covenants, conditions, agreements, terms and provisions contained in the application for approval of Definitive Plan (Form B).

The following Preliminary or Definitive subdivision plan:

Name or description _____
New Street name: _____

Submitted by _____
Address _____
On _____
Date

Pending termination of the statutory twenty-day period for action on a Definitive Plan.

(Attest) _____ (signed) _____
Clerk, Planning Board Chair, Planning Board

Encl: (To Town Clerk and Applicant only) Notice of Planning Board Vote on the Preliminary Plan if disapproved or modified. Certified copy of Planning Board vote on the Definitive Plan if disapproved or modified.

(continued on next page)

The following reasons justify the Planning Board's actions as noted above:

Majority of
the
Planning Board
of the Town of
Topsfield

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal this _____ day of
_____, 19 ____.

cc:	File	Police Department
	Applicant	Highway Superintendent
	Board of Assessors	Conservation Commission
	Board of Health	Soil Removal Board
	Board of Selectmen	Board of Water Commissioners
	Fire Department	Tree Warden

FORM F

PERFORMANCE BOND - SECURED BY DEPOSIT

Topsfield, MA _____

KNOW ALL MEN BE THESE PRESENTS

that _____ of _____
hereby binds and obligates himself/itself and his/their executors, administrators, devisees, heirs, successors, and assigns to the Town of Topsfield, a Massachusetts municipal Corporation, in the sum of _____ Dollars, and has secured his obligation by the deposit with the Treasurer of said Town of Topsfield of said sum in money or negotiable securities.

The Conditions of this obligation is that if the undersigned or his/its executors, administrators, devisees, heirs, successors, and assigns shall fully and satisfactorily observe and perform in the manner and in the time therein specified, all of the covenants, conditions, agreements, terms and provisions contained in the following:

1. Application for Approval of Definitive Plan (Form B) signed by the Principal and dated.
2. The Rules and Regulations Governing the Subdivision of Land in Topsfield adopted by the Planning Board.
3. The Definitive Plan as defined by the above Rules and Regulations and as qualified by the Certificate of Approval issued by the Planning Board dated _____.
4. The construction of all ways and the installation of all required municipal services specified in Section 6 shall be completed within eighteen (18) months of the date of receipt of bond or surety by the Board or within two (2) years of the date of approval of the Definitive Plan by the Board, whichever is earlier.

then this obligation shall be void; otherwise it shall remain in full force and effect, and that portion of the aforesaid security required to complete the Principal's obligation under this agreement, plus one dollar (\$1.00) per linear foot of incomplete roadway, shall become the sole property of said Town of Topsfield as liquidated damage.

IN WITNESS WHEREOF the undersigned has hereunto set his hand and seal this _____ day of

_____.

1 copy each: Applicant

Planning Board
Town Treasurer
Town Clerk

FORM G

PERFORMANCE BOND - SURETY COMPANY

Topsfield, MA _____

KNOW ALL MEN BY THESE PRESENTS

that _____
as Principal, and _____ a corporation duly organized and
existing under the laws of the State of _____ and having a usual place of business in
_____, as Surety, hereby bind and obligate themselves and their respective
heirs, executors, administrators successors, and assigns, jointly and severally, to the Town of Topsfield, a
Massachusetts municipal corporation, in the sum of _____ Dollars.

The conditions of this obligation is that if the Principal shall fully and satisfactorily observe and perform in the
manner and in the time therein specified all of the covenants, agreements, terms and provisions contained in the
following:

1. Application for Approval of Definitive Plan (Form B) signed by the Principal and dated
_____.
2. The Rules and Regulations Governing the Subdivision of Land in Topsfield, adopted by the Planning Board.
3. The Definitive Plan as defined by the above Rules and Regulations and as qualified by the Certificate of
Approval issued by the Planning Board, dated _____.

then this obligation shall be void; otherwise it shall remain in full force and effect.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this _____ day of
_____.

Principal

By _____

Surety

By _____

Attorney in Fact

1 copy each: Applicant
 Surety Company
 Planning Board
 Town Treasurer
 Town Clerk

THIS SPACE RESERVED FOR REGISTRY OF DEEDS

FORM H

COVENANT

CONDITIONAL APPROVAL CONTRACT

Topsfield, MA _____

KNOW ALL MEN BY THESE PRESENTS

that whereas the undersigned has submitted application dated _____, to the Topsfield Planning Board for approval of a Definitive Plan of a certain subdivision entitled _____ and dated _____ and has requested the Board to approve such plan without requiring a Performance Bond.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the Topsfield Planning Board approving said plan without requiring a performance bond, and in consideration of one dollar in hand paid, receipt whereof is hereby acknowledged, the undersigned covenants and agrees with the Town of Topsfield as follows:

1. The undersigned will not sell any lot in the subdivision or erect or place any permanent building on any such lot until the work on the ground necessary to serve adequately such lot has been completed in the manner specified in the aforesaid application, and in accordance with the covenants, conditions, agreements, terms and provisions contained in the following:
 - a. Application for Approval of Definitive Plan (Form B) signed by the Principal and dated _____.
 - b. The Subdivision Control Laws and the Rules and Regulations Governing the Subdivision of Land in Topsfield adopted by the Planning Board.
 - c. The Definitive Plan as defined by the above Rules and Regulations and as qualified by the Certificate of Approval issued by the Planning Board dated _____.
2. This agreement shall be binding upon the executors, administrators, devisees, heirs, successors, and assigns of the undersigned.

It is the intention of the undersigned and it is hereby understood and agreed that this Contract shall constitute a covenant running with the land included in the aforesaid subdivision and operate as restriction upon said land.

It is understood and agreed that lots within the subdivision shall, respectively, be released from the foregoing conditions upon the recording of a Certificate of Performance executed by a majority of said Planning Board and enumerating the specific lots to be so released.

(continued on next page)

3. The undersigned represents and covenants that the undersigned is the owner* in fee simple of all the land included in the aforesaid subdivision and that there are no mortgages of record or otherwise on any of said land, except such as are described below and subordinated to this Contract, and the present holders of said mortgages have assented to this Contract prior to its execution by the undersigned.
4. Nothing herein shall be deemed to prohibit a conveyance by a single deed subject to this covenant of either the entire parcel of land shown on the Subdivision Plan or of all lots not previously released by the Planning Board.
5. A mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise and any succeeding owner of the mortgaged premises or part thereof may sell or convey any lot, subject only to that portion of this covenant which provides that no lot be sold or conveyed or shall be built upon until ways and services have been provided to serve such lot.
6. The undersigned agrees to record this covenant with the Essex South District County Registry of Deeds contemporaneously with the filing of the Subdivision Plan.

(continued on next page)

IN WITNESS WHEREOF the undersigned, applicant as aforesaid, does hereunto set his hand and seal this _____ day of _____.

Applicant

Owner

Address

Address

Description of Mortgages: _____

(Give Complete names and Registry of Deeds reference)

Assents of mortgagees:

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss.

On this _____ day of _____, 20__ before me, the undersigned notary public, personally appeared _____ proved to me through satisfactory evidence of identification, which was ☐ photographic identification with signature issued by a federal or state governmental agency, ☐ oath or affirmation of a credible witness, ☐ personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, and that he has the authority to act in that capacity.

Notary Public

My Commission Expires: _____

*If there is more than one owner, all must sign.

1 copy each: Applicant
Planning Board
Town Clerk
Registry of Deeds or Land Court

FORM I

APPROVAL FOR RELEASE OF BONDS, SURETY OR CONDITIONS

Topsfield, MA _____

To: Board of Health Police Department Conservation Commission
 Board of Selectmen Highway Superintendent Soil Removal Board
 Fire Department Board of Water Commissioners Tree Warden

From: Applicant

Subject: _____
 Description and name, if any

Submitted by: _____

Address: _____

The improvements specified in Section 6 of the Planning Board Rules and Regulations are believed to have been completed on the below-described subdivision and all covenants, conditions, agreements, terms, and provisions contained in the application for approval of Definitive Plan (Form B) fulfilled. Please indicate your approval or disapproval of release of bonds, surety or conditions insofar as the requirements of your department only are concerned. If release of conditions is indicated, specify for which lot(s) you approve release.

Signed: _____
 Chair, Planning Board

-----DO NOT DETACH-----

To: Planning Board
Date: _____
Subject: _____
 Description and name, if any

Insofar as the requirements of this department are concerned, the release of bonds, surety or conditions for the above-described subdivision is:

APPROVED DISAPPROVED (cross out one)

If disapproved, state reasons: _____

Department _____
Signed _____

FORM J

REQUEST FOR INSPECTION OF CONSTRUCTION OF IMPROVEMENTS

Topsfield, MA _____

TO:

APPLICANT: _____

Print or Type Name

Signature

Address

Owner:

Print or Type Name

Signature

Address

Name of Subdivision: _____

Print or Type Name

Location and Description: _____

INSPECTION

Req'd	Item	Date	Inspector	Dept.	Remarks
1.	Roads				
	a. subbase				
	b. Base Course				
	c. Binder Course				
	d. Surface Course				
	e. Elev. & Grades				
	f. Length				
	2. Curbs				
	a. Granite				
	b. Bit. concrete Berms				
	3. Sidewalks				
4.	a. Subbase				
	b. Base Course				
	c. Cement concrete				
	d. Binder Course				
	e. Surface Course				
5.	Loam and Seed				
6.	Street Trees				
7.	Street Name Signs				
8.	Monuments				
9.	Street Lighting				
10.	Fire Alarm System				
11.	Police Call System				
	Drainage System				

	a. Location in roadway				
	b. Bedding				
	c. Profile of system				
	d. Catchbasin locations				
12.	Water System				
	a. Location in roadway				
	b. Hydrant locations				
	c. Tests of system				
	d. On-lot system				
13.	Sewer System				
	a. Location in Roadway				
	b. On-lot system				
14.	Other Improvements				
	Name				

Final Acceptance
cc: Planning Board

(See Form I)

FORM K

NOTICE OF RELEASE OF BONDS OR SURETY

Topsfield, MA _____

To: Town Treasurer

From: Planning Board

Subject: _____
Description and name, if any

Submitted by: _____

Address: _____

Phone: _____ Email: _____

The improvements required by Planning Board Rules and Regulations have been completed on the above described subdivision. You are requested to release any bonds or surety filed for said subdivision:

Signed: _____
Chair, Planning Board

cc: File

FORM L

RELEASE OF COVENANT

Topsfield, MA _____

The undersigned, being a majority of the Planning Board of the Town of Topsfield, Massachusetts, hereby certify that the statutory covenant under Chapter 41, Section 81U of the General Laws, given by

dated _____, recorded in the Essex South District Registry of Deeds, Book _____, Page _____.

1. has been fully performed to the satisfaction of the Planning Board of the Town of Topsfield as to the following enumerated lots shown on Plan referred to in said Covenant

and said lots are hereby released from the said Covenant.
2. has not been fully performed but that in lieu of the said Covenant a bond, to the satisfaction of the said Planning Board, has been filed under said Chapter 41, Section 81U to secure the construction of ways and installation of municipal services and in consequence thereof, the following enumerated lots shown on the plan referred to in the said Covenant are hereby released from the said Covenant

Majority of the
Planning Board
of the Town of
Topsfield

COMMONWEALTH OF MASSACHUSETTS

_____, as _____

Then personally appeared the above named _____
and acknowledged the foregoing instrument to be _____ free act and deed, before me,

Notary Public
My Commission Expires: _____

cc: Planning Board
Building Inspector
Registry of Deeds
Applicant

FORM M

PETITION FOR INSERTION OF APPLICATION FOR
ACCEPTANCE IN WARRANT FOR ANNUAL TOWN MEETING

File two (2) completed form with the Board of Selectmen and a copy with the Planning Board in accordance with the requirements of Section 4.9.6.b.

Topsfield, MA _____

To the Board of Selectmen:

The undersigned herewith petitions the Board of Selectmen to insert an application in the Warrant for Annual Town Meeting for the acceptance of the completed streets within the approved subdivision of property located in the Town of Topsfield.

1. Name of Applicant _____ _____
 Print or Type Name Signature
 Address _____
 Phone Number _____
2. Name of Owner _____ _____
 Print or Type Name Signature
 Address _____
3. Name of Engineer
 or Surveyor _____ _____
 Print or Type Name Signature
4. Location and legal Description of Streets.

Date of Submission _____
Town Clerk _____
 Signature